

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SENATE BILL 1065

AN ACT

AMENDING SECTION 16-621, ARIZONA REVISED STATUTES; RELATING TO CONDUCT OF ELECTIONS; MAKING AN APPROPRIATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 16-621, Arizona Revised Statutes, is amended to
3 read:

4 16-621. Proceedings at the counting center

5 A. All proceedings at the counting center shall be under the direction
6 of the board of supervisors or other officer in charge of elections and shall
7 be conducted in accordance with the approved instructions and procedures
8 manual provided for in section 16-452 under the observation of
9 representatives of each political party and the public, but no persons except
10 those authorized for the purpose shall touch any ballot or ballot card or
11 return. All persons who are engaged in processing and counting of the
12 ballots shall be deputized in writing and take an oath that they will
13 faithfully perform their assigned duties. There shall be no preferential
14 counting of ballots for the purpose of projecting the outcome of the
15 election. If any ballot is damaged or defective so that it cannot properly
16 be counted by the automatic tabulating equipment, a true duplicate copy shall
17 be made of the damaged ballot in the presence of witnesses and substituted
18 for the damaged ballot. All duplicate ballots shall be clearly labeled
19 "duplicate" and shall bear a serial number which shall be recorded on the
20 damaged or defective ballot.

21 B. If for any reason it becomes impracticable to count all or a part
22 of the ballots with tabulating equipment, the officer in charge of elections
23 may direct that they be counted manually, following as far as practicable the
24 provisions governing the counting of paper ballots.

25 C. FOR ANY STATEWIDE, COUNTY OR LEGISLATIVE ELECTION, THE OFFICER IN
26 CHARGE OF ELECTIONS SHALL PROVIDE FOR A LIVE VIDEO RECORDING OF THE CUSTODY
27 OF ALL BALLOTS THAT ARE LOCATED IN THE COUNTING CENTER FROM THE TIME THAT
28 THOSE BALLOTS ARE RECEIVED FOR COUNTING UNTIL ALL BALLOTS ARE TABULATED. THE
29 LIVE VIDEO RECORDING SHALL BE LINKED TO THE SECRETARY OF STATE'S WEBSITE AND
30 THE SECRETARY OF STATE SHALL POST THE VIDEO COVERAGE FOR VIEWING BY THE
31 PUBLIC. THE OFFICER IN CHARGE OF ELECTIONS SHALL RECORD THE VIDEO COVERAGE
32 OF THE BALLOTS AT THE COUNTING CENTER AND SHALL RETAIN THOSE RECORDINGS AS A
33 PUBLIC RECORD.

34 Sec. 2. Appropriation; counties

35 The sum of \$750,000 is appropriated from the state general fund in
36 fiscal year 2007-2008 in the amount of \$50,000 to each county's officer in
37 charge of elections for the purposes provided in section 16-621, Arizona
38 Revised Statutes, as amended by this act.

39 Sec. 3. Exemption from lapsing

40 The appropriation made in section 2 of this act is exempt from the
41 provisions of section 35-190, Arizona Revised Statutes, relating to lapsing
42 of appropriations.